

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAY ALAN MYERS,

Petitioner,

v.

CASE NO. 2:06-cv-247

JUDGE MARBLEY

JAMES DAVENPORT,

Charlotte County Sheriff,

MAGISTRATE JUDGE ABEL

Respondent.

OPINION AND ORDER

On May 24, 2006, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts recommending that the instant petition for a writ of habeas corpus be dismissed. Although the parties were specifically informed of their right to object to the *Report and Recommendation*, and of the consequences of their failure to do so, there has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. This case is **DISMISSED**.

s/Algenon L. Marbley
ALGENON L. MARBLEY
United States District Judge